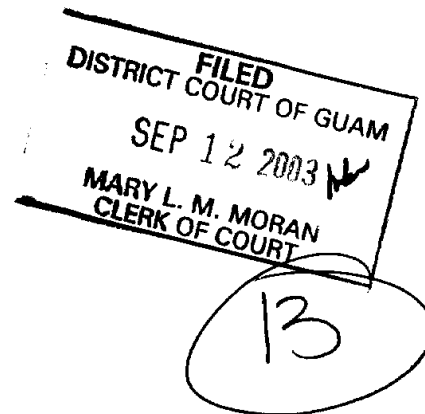


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9
10 IN THE DISTRICT COURT OF GUAM

11
12 SHELL GUAM, INC.,) CIVIL CASE NO. CIV03-00029
13 a Guam corporation,)
14 Plaintiff,)
15 vs.) AFFIDAVIT OF STEVEN A. ZAMSKY
16 F/V PALAU MARU NO. 1,) IN SUPPORT OF REQUEST
17 Defendant.) FOR ENTRY OF DEFAULT
18)

19 GUAM U.S.A.)
20) ss:
21 MUNICIPALITY OF HAGÁTÑA)

22 STEVEN A. ZAMSKY, being first duly sworn, depose and say as follows:

23 1. I am the attorney of record for Plaintiff Shell Guam, Inc. herein which is asking that
24 Judgment be entered in favor of Plaintiff Shell Guam, Inc..

25 2. I make this Affidavit pursuant to FRCP Rule 55(a) and in support of the Request for
26 Entry of Default of Defendant F/V Palau Maru No. 1 filed herewith and for entry of Judgment.
27
28

3. On August 1, 2003 the Verified Complaint *In Rem* and Warrant of Arrest were personally served on the Master of Defendant F/V Palau Maru No. 1, at the Port Authority of Guam, Piti, Guam USA, which is the last known place of business and employment of Defendant F/V Palau Maru No. 1 and on Roberto Ho, the owner's agent, as appears by the returns of service on file herein.

4. On August 22, 2003 the Notice of Action and Arrest was published in the Pacific Daily News, a newspaper of general circulation in Guam USA. The Affidavit of publication is on file herein.

5. The only party which is known to claim to have an interest in said Vessel is Mr. Ho or his company. They were served and have not answered. I have heard from David Ledger, Esq., of Carlsmith Ball, LLP, on behalf of Mr. Ho, but nothing has yet been filed.

6. Defendant F/V Palau Maru No. 1 has not answered or otherwise pled and the time for Defendant F/V Palau No. 1 to answer or otherwise plead have not been extended.

7. Defendant F/V Palau Maru No. 1 is neither an infant or incompetent person.

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8. Entry of Default against **Defendant F/V Palau Maru No. 1** should be entered as provided in said Rule.

FURTHER THE AFFIANT SAYETH NAUGHT.

Dated this 9th day of **September 2003**.


STEVEN A. ZAMSKY, AFFIANT

SUBSCRIBED AND SWORN to before me, the undersigned Notary Public, duly sworn and commissioned in and for Guam USA, this 9th day of **September 2003** by **STEVEN A. ZAMSKY**.


NOTARY PUBLIC

MARIE T. CAMACHO
NOTARY PUBLIC
In and for Guam USA
My Commission Expires: February 10, 2007
My Commission Number: NP#03-0004
Post Office Box 3745 Hagåtña, Guam USA 96932

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